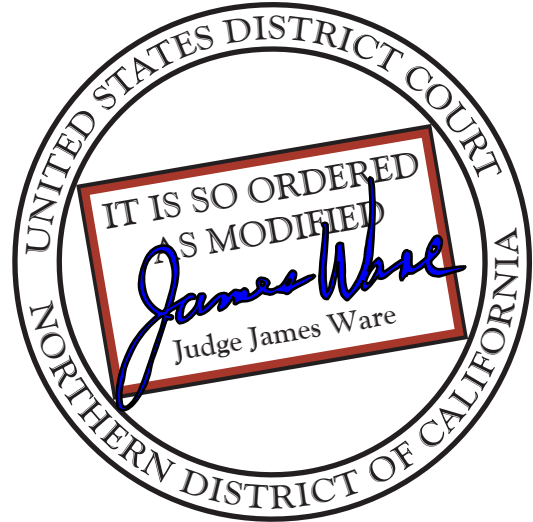


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Benefits Plan, incorrectly sued as Kaiser Foundation Health
Plan Long Term Disability Plan; and Real Party in Interest
and Counterclaimant Metropolitan Life Insurance Company



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PAMELA LEE,

Plaintiff,

v.

KAISER FOUNDATION HEALTH PLAN
LONG TERM DISABILITY PLAN,

Defendant.

AND RELATED COUNTERCLAIM

Case No. 3:09-cv-02176 JW

**STIPULATION AND ~~PROPOSED~~
ORDER FOR CONTINUANCE OF
BRIEFING DATES AND THE HEARING
DATE FOR THE PARTIES' MOTIONS**

1 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:

2 Currently pending before the Court are Counterclaimant Metropolitan Life Insurance
3 Company's ("MetLife") motion for judgment (ECF No. 89) and plaintiff's motion for entry of
4 judgment (ECF No. 91). The parties' respective opposition briefs are currently due January 20,
5 2012. Plaintiff's counsel is ill and will not be able to timely file an opposition brief on behalf
6 of his client. Therefore, the parties respectfully request that the Court grant a short continuance
7 of the briefing dates.

8 The parties request that the Court continue the last day for the parties to file their
9 opposition briefs from January 20, 2012 to Monday January 23, 2012. The parties further
10 request that the Court continue the last day for the parties to file their reply briefs from January
11 27, 2012 to January 30, 2012.

12 The parties further agree and request, pursuant to the Court's order and consistent with
13 the Court's standing order and calendar following the transfer of this matter from the
14 Honorable Susan Illston to the Honorable James Ware, that the hearing on their respective
15 motions be continued to March 5, 2012 at 9:00 a.m., or as soon as thereafter as the matter may
16 be heard.

17 SO STIPULATED, AGREED, AND RESPECTFULLY SUBMITTED:

18 DATED: January 20, 2012 LAW OFFICES OF LAURENCE F. PADWAY

20 By: /s/ Laurence F. Padway (as authorized on 1/20/2012)

21 Laurence F. Padway
22 Attorneys for Plaintiff
Pamela Lee

23 DATED: January 20, 2012 SEDGWICK LLP

25 By: /s/ Rebecca A. Hull

26 Rebecca A. Hull
27 Erin A. Cornell
28 Attorneys for Defendant Kaiser Permanente Flexible
Benefits Plan, incorrectly sued as Kaiser Foundation
Health Plan Long Term Disability Plan; and Real Party in
Interest and Counterclaimant Metropolitan Life Insurance
Company

ORDER

It is so ordered. MetLife's opposition to plaintiff's motion for entry of judgment, and plaintiff's opposition to MetLife's motion for judgment shall be due on January 23, 2012. MetLife's reply in support of its motion or judgment and plaintiff's reply in support of her motion for entry of judgment shall be due on January 30, 2012. The hearing on the parties' motions is continued to ~~March 5~~ February 13, 2012 at 9:00 a.m.

DATED: Jan. 24, 2012


HONORABLE JAMES WARE
CHIEF DISTRICT JUDGE